

## **Public Notice – Approval of Water Quality Management Planning Actions**

**Notice of action:** The State Water Control Board (Board) is considering the approval of ten Total Maximum Daily Load Implementation Plans (TMDL IPs) and granting authorization to include the TMDL implementation plans in the appropriate Water Quality Management Plans (WQMPs).

**Purpose of notice:** The Board is seeking comment on the proposed approvals and authorizations. The purpose of these actions is to approve ten TMDL IPs as Virginia's plans for the management actions necessary for attainment of water quality goals in several impaired waterbodies. These actions are taken in accordance with the Public Participation Procedures for Water Quality Management Planning.

**Public comment period:** September 27, 2010 to October 27, 2010

**Description of proposed action:** DEQ staff intends to recommend 1) that the DEQ Director approve the TMDL IPs listed below as Virginia's plans for the management actions necessary for attainment of water quality goals in the impaired segments, and 2) that the DEQ Director authorize inclusion of the TMDL IPs in the appropriate WQMPs. No regulatory amendments are required for these TMDL IPs.

At previous meetings, the Board voted unanimously to delegate to the DEQ Director the authority to approve TMDL implementation plans, provided that a summary report of the action the Director plans to take is presented to the Board prior to the Director's approval. The TMDL Implementation Plans included in this public notice will be approved using this delegation of authority.

The TMDLs listed below were developed in accordance with 1997 Water Quality Monitoring, Information and Restoration Act (WQMIRA, §62.1-44. 19:4 through 19:8 of

the Code of Virginia) and federal recommendations. The TMDL IPs were developed in accordance with DEQ's Public Participation Procedures for Water Quality Management Planning. Extensive public participation was solicited during the development of the plans, and the public comment process provided the affected stakeholders with opportunities for comment on the proposed plans. The final TMDL IPs can be found at <http://www.deq.virginia.gov/tmdl/iprpts.html>.

## **Affected Waterbodies and Localities:**

### **In the Potomac/Shenandoah River Basin:**

1. *"Mossy Creek, Long Glade Run, and Naked Creek Water Quality Improvement Plan"*
  - The IP proposes management actions needed to reduce bacteria and sediment and restore the primary contact (swimming) use and aquatic life use in Mossy Creek, Long Glade Run, and Naked Creek located in Rockingham and Augusta Counties.
2. *"Smith Creek Watershed TMDL Implementation Plan; Rockingham and Shenandoah Counties, City of Harrisonburg, and Town of New Market, Virginia"*
  - The IP proposes management actions needed to reduce bacteria and sediment and restore the primary contact (swimming) use and aquatic life use in Smith Creek located in Rockingham and Shenandoah Counties.

### **In the James River Basin:**

3. *"Flat Creek, Nibbs Creek, Deep Creek, and West Creek TMDL Implementation Plan"*
  - The IP proposes management actions needed to reduce bacteria and restore the primary contact (swimming) use in the Flat Creek, Nibbs Creek, Deep Creek, and West Creek watersheds located in Amelia and Nottoway Counties.

### **In the Rappahannock River Basin:**

4. *"Water Quality Implementation Plan for Greenvale, Paynes, and Beach Creeks (Shellfish Areas Listed Due to Bacterial Contamination)"*
  - The IP proposes management actions needed to reduce bacteria and restore the shellfishing use in the Greenvale Creek, Paynes Creek, and Beach Creek watersheds located in Lancaster County.

### **In the Roanoke River Basin:**

5. *"Development of the Bacterial Total Maximum daily Load Implementation Plan for Cub Creek, Turnip Creek, Buffalo Creek, and UT to Buffalo Creek in Appomattox, Campbell, and Charlotte Counties, Virginia"*
  - The IP proposes management actions needed to reduce bacteria and restore the primary contact (swimming) use in Cub Creek, Turnip Creek, Buffalo Creek, and UT to Buffalo Creek located in Charlotte, Campbell, and Appomattox Counties.
6. *"Pigg River and Old Womans Creek Watersheds TMDL Implementation Plan"*
  - The IP proposes management actions needed to reduce bacteria and restore the primary contact (swimming) use in Pigg River and Old Womans Creek watersheds located in Franklin, Henry, and Pittsylvania Counties.

**In the Chowan River Basin:**

7. *"Implementation Plan for Bacterial TMDLs in the North Landing River Watershed"*
  - The IP proposes management actions needed to reduce bacteria and restore the primary contact (swimming) use in Milldam Creek and Middle West Neck Creek located in Virginia Beach.
8. *"Implementation Plan for Bacterial TMDLs in the Back Bay Watershed"*
  - The IP proposes management actions needed to reduce bacteria and restore the primary contact (swimming) use in Nanney Creek located in Virginia Beach.

**In the Chesapeake Bay-Small Coastal-Eastern Shore Basin:**

9. *"Occohannock Creek TMDL Implementation Plan"*
  - The IP proposes management actions needed to reduce bacteria and restore the shellfishing use in the Occohannock River watershed located in Accomack and Northampton Counties.

**In the New River Basin:**

10. *"Bluestone River TMDL Implementation Plan Summary"*
  - The IP proposes management actions needed to reduce bacteria and sediment and restore the primary contact (swimming) use and aquatic life use in the Bluestone River located in Tazewell County and the Town of Bluefield.

**How to comment:** The DEQ accepts written comments by e-mail, fax and postal mail. All written comments must include the full name, address and telephone number of the

person commenting and be received by DEQ by 5 p.m. on the last day of the comment period.

**How a decision is made:** After comments have been considered, the Board will make the final decision.

**To review documents:** The TMDL implementation plans are available on the DEQ web site at <http://www.deq.virginia.gov/tmdl/iprpts.html> and by contacting the DEQ representative named below. The electronic copies are in PDF format and may be read online or downloaded.

**Contact for public comments, document requests and additional information:**

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